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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,108	09/22/2003	Mitsuhiko Sato	CANO:089	7638
7590 11/24/2004				
ROSSI & ASSOCIATES		EXAMINER		
P.O. Box 826		BRASE, SANDRA L		
Ashburn, VA 20146-0826				
		ART UNIT	PAPER NUMBER	
		2852		

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/668,108

Applicant(s)

SATO ET AL.

Examiner

Sandra L. Brase

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Quayle Action

1. This application is in condition for allowance except for the following formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “602” has been used to designate both a red led (figure 2) and a tab sheet bundle (figure 6B); and reference character “603” has been used to designate both a green led (figure 2) and a feed path (figure 6A). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: R1, R2, R3 and R4. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: R, 74a, 74b, 74c, 74d, 403, 503, 603 and 703. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

6. The disclosure is objected to because of the following informality.

On page 41, line 21, "601" should be changed to "701".

Appropriate correction is required.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Allowable Subject Matter

7. Claims 1-10 are allowed.

8. The following is an examiner's statement of reasons for allowance.

Claims 1-4

The primary reason for allowance is a determining device responsive to a user's instruction for feeding tab sheets and selection of a combination of one of the claimed first sheet feed device and the claimed second sheet feed device and one of the claimed first sheet discharge

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device and the claimed second sheet discharge device, for determining whether a combination of the selected one of the first sheet feed device and the second sheet feed device, the selected one of the first sheet discharge device and the second discharge device, and the type of sequence of tabs of the tab sheet bundle set in the selected one of the first sheet feed device and the second sheet feed device is valid or not. The above limitations are contained in claims 1-4, but are not taught or suggested by the prior art of record.

Claim 5

The primary reason for allowance is a determining device responsive to a user's instruction for feeding tab sheets and selection of one of the claimed first sheet feed device and the claimed second sheet feed device, for determining which of the claimed first sheet discharge device and the claimed second sheet discharge device is allowed to be selected by a user, according to the selected one of the first sheet feed device and the second sheet feed device and the type of sequence of tabs of the tab sheet bundle set in the selected one of the first sheet feed device and the second sheet feed device. The above limitations are contained in claim 5, but are not taught or suggested by the prior art of record.

Claim 6

The primary reason for allowance is a determining device responsive to a user's instruction for feeding tab sheets and selection of one of the claimed first sheet feed device and the claimed second sheet feed device, for determining which of the claimed first sheet discharge device and the claimed second sheet discharge device is allowed to be selected by a user, according to the selected one of the first sheet discharge device and the second sheet discharge device and the type of sequence of tabs of each of the tab sheet bundles set in the first sheet feed

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device and the second sheet feed device. The above limitations are contained in claim 6, but are not taught or suggested by the prior art of record.

Claim 7

The primary reason for allowance is a control device responsive to selection of the claimed first sheet discharge device, for inhibiting selection of feed devices other than the claimed first sheet feed device in which the tab sheet bundle in the normal order is set and the claimed second sheet feed device in which the tab sheet bundle in the reverse order is set. The above limitations are contained in claim 7, but are not taught or suggested by the prior art of record.

Claim 8

The primary reason for allowance is a control device responsive to selection of the claimed second sheet discharge device, for inhibiting selection of feed devices other than the claimed first sheet feed device in which the tab sheet bundle in the reverse order is set and the claimed second sheet feed device in which the tab sheet bundle in the normal order is set. The above limitations are contained in claim 8, but are not taught or suggested by the prior art of record.

Claim 9

The primary reason for allowance is a control device responsive to selection of the claimed first sheet feed device in which the tab sheet bundle in the normal order is set or the claimed second sheet feed device in which the tab sheet bundle in the reverse order is set, for inhibiting selection of discharge devices other than the claimed first sheet discharge device. The

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above limitations are contained in claim 9, but are not taught or suggested by the prior art of record.

Claim 10

The primary reason for allowance is a control device responsive to selection of the claimed first sheet feed device in which the tab sheet bundle in the reverse order is set or the claimed second sheet feed device in which the tab sheet bundle in the normal order is set, for inhibiting selection of discharge devices other than the claimed second sheet discharge device. The above limitations are contained in claim 10, but are not taught or suggested by the prior art of record.

Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sugiyama et al. (US 5,655,207), Osari et al. (US 6,393,232), Takara (US 6,553,193) and Sugimoto (US 6,571,072) disclose an image forming apparatus that feeds and discharges tab sheets.

Johroku et al. (US 5,257,080) and Muto (US 2002/0018665) disclose the selection of a face-up or face-down discharge of a sheet in an image forming apparatus.

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Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is 571-272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sandra L. Brase
Primary Examiner
Art Unit 2852

November 22, 2004